

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2010-005539

01/31/2012

HONORABLE JANICE CRAWFORD

CLERK OF THE COURT

J. Escarcega

Deputy

IN RE THE MARRIAGE OF  
TYLER GENTRY

TYLER GENTRY  
P O BOX 94144  
PHOENIX AZ 85070

AND

ALLISON GENTRY

ALLISON GENTRY  
19450 E VIA DE OLIVOS  
QUEEN CREEK AZ 85070

FAMILY COURT SERVICES-CCC

UNDER ADVISEMENT RULING

Mother filed a Petition to Modify Child Support on January 20, 2012. The current child support was established pursuant to a Consent Decree for Legal Separation, Agreement to Modify Child Support, Joint Custody Plan, and Parent's Worksheet for Child Support, all of which were filed on August 18, 2011. Modification of child support requires a showing of a substantial and continuing change of circumstances.

Mother's position is that there has been a substantial and continuing change of circumstances because she now incurs childcare costs for both children and Father no longer incurs the cost of childcare for his other children.

The Court has considered Mother's Petition to Modify Child Support, the testimony and evidence, and has compared the Parent's Worksheet for Child Support Amount filed by the parties on August 18, 2011 to Mother's proposed Parent's Worksheet for Child Support Amount. Mother's proposed Worksheet includes childcare costs for both children in the amount of \$800,

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and the August 18, 2011 Worksheet includes childcare costs for one child in the amount of \$600. However, Mother testified that she and Father were aware that their youngest child would need childcare when they filed the August 18, 2011 Worksheet and agreed that a deviation from the child support guidelines was appropriate.

Additionally, Mother's proposed Worksheet for Child Support Amount uses an attributed income for Mother of \$1732 per month, and the August 18, 2011 Worksheet used an attributed income for Mother of \$2500 per month. Mother did not present any evidence to justify lowering the amount of income that is attributed to her in her proposed Worksheet. Significantly, lowering Mother's attributed income serves only to increase the amount of child support Father is required to pay.

**THE COURT FINDS** that there has not been a substantial and continuing change of circumstances since August 18, 2011. Therefore,

**IT IS ORDERED** denying Mother's Petition to Modify Child Support.

**IT IS FURTHER ORDERED** signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ Janice K. Crawford

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HONORABLE JANICE K. CRAWFORD  
JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.